

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

JESUS ACOSTA ARTICA, JUAN ZELAYA, NILSON
CABALLERO, JOSE RUIZ, ADONIS LOBO and ERNESTO
GALEANO, Individually and on Behalf of all other Employees
Similarly Situated,

Plaintiff,

-against-

J.B. CUSTOM MASONRY & CONCRETE, INC., J.B.
BATTAGLIA, J.B. CONTRACTING, ALFREDO J.
BATTAGLIA, JOHN BATTAGLIA and SALVATORE
MANNINO, Jointly and Severally,

Defendants.

ECF Case

09-CV-3796 (RER)

JESUS ACOSTA ARTICA, JUAN ZELAYA, NILSON
CABALLERO, JOSE RUIZ, ADONIS LOBO, ERNESTO
GALEANO, HUGO RIVAS and JAIME RIVAS, Individually and
on Behalf of all other Employees Similarly Situated,

Plaintiff,

-against-

J.B. CUSTOM MASONRY & CONCRETE, INC., J.B. CUSTOM
CORP., J.B. HOLDING & PROPERTY CORP., J.B.
RESIDENTIAL, LLC, ALFREDO J. BATTAGLIA, JOHN
BATTAGLIA, JOSEPHINE BATTAGLIA and SALVATORE
MANNINO, Jointly and Severally,

Defendants.

11-CV-0842 (RER)

DECLARATION OF BRENT E. PELTON, ESQ. IN SUPPORT OF PLAINTIFFS'
MOTION TO SET ASIDE DEFENDANTS' FRAUDULENT CONVEYANCES

Brent E. Pelton, Esq., being duly sworn, deposes and says:

1. I am the principle of the law firm of Pelton & Associates PC, attorneys for the plaintiffs in this action. This declaration is based on my own personal knowledge. I make this

declaration in connection with Plaintiffs' Motion for Fraudulent Conveyances, filed contemporaneously herewith.

2. Attached hereto as **Exhibit 1** is a copy of the Judgment in the underlying actions, filed by the Clerk of Court on July 20, 2012.

3. Attached hereto as **Exhibit 2** are true and correct copies of referenced pages from the transcript of the deposition of Defendant Alfredo Battaglia, taken September 13, 2012.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 22nd day of January, 2013.



Brent E. Pelton, Esq.